

Remarks

Applicant thanks Examiner Robinson-Boyce for the telephonic interview on June 26, 2010. Applicant's representative and Examiner Robinson-Boyce discussed the claims as filed with these remarks and discussed below. Based on the interview, Applicant believes that the application is in condition for allowance. Applicant thanks Examiner Robinson-Boyce for her suggestions and thoughtful consideration.

This application has been carefully reviewed in light of the Office Action mailed March 30, 2010 ("Non-Final Office Action"). At the time of the Non-Final Office Action, claims 1-41 were pending in this application, all of which were rejected. Applicant has not amended any claims. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

The Examiner rejected claims 1, 4, 5, 8, 14-18, 20, 29-31, 33, and 34 under 35 U.S.C. §103(a) as being unpatentable over Bezos et al., U.S. Patent No. 6,029,141 (*Bezos*) in view of Johnson et al., U.S. Patent No. 6,067,525 (*Johnson*). Applicant traverses this rejection because the proposed combination of *Bezos* and *Johnson* does not teach or suggest the pending claims. Favorable reconsideration of the claims is respectfully requested for the following reasons.

Claim 1, in relevant part, recites:

an inventory database queried via the multimedia user interface to determine if ***one or more products in-process*** match the user-selected manufactured product configuration; a sales processor operable to receive a user reservation of a ***product in-process*** if the user-selected manufactured product configuration at least partially matches the ***product in-process*** and is available from the inventory database; an order processor operable to receive a custom order from the user if the user-selected manufactured product configuration does not at least partially match the ***product in-process*** or is not available from the inventory database.

(Emphasis added).

As discussed during the interview, the proposed combination of *Bezos* and *Johnson* does not teach or disclose at least these limitations of claim 1. For example, the combination does not teach "one or more products in process" as recited in claim 1. The Examiner agrees that *Bezos* does not teach these limitations. (Non-Final Office Action, p. 4). *Johnson* discloses an integrated computerized sales force automation system. The *Johnson* reference is directed to the sales life cycle of products configured by salespersons on behalf of customers. (See *Johnson*, col. 7, ll. 43 – 44). Further, the *Johnson* reference discloses systems and methods for facilitating the sale of these products. (See *Johnson*, col. 2, ll. 21 – 55). *Johnson*, however, does not disclose "products in-process," as recited in claim 1. Further, *Johnson* does not disclose a determination of whether "one or more products in-process match the user-selected manufactured product configuration" as recited in claim 1. As discussed during the interview, no where in *Johnson* are either of these limitations found. For at least these reasons, claim 1 is patentable over the proposed combination of *Bezos* and *Johnson*.

Claims 4, 5, and 8 each depend from independent claim 1. Accordingly, these claims are allowable based at least on their dependency from claim 1. Applicant kindly request the Examiner to reconsider claims 1, 4, 5, and 8.

Claim 14 recites, in relevant part:

querying an inventory database to determine if ***one or more products in-process*** match the online customer-selected product configuration; receiving a reserved online order of a ***product in-process*** from the online customer if the online customer selected product configuration at least partially matches the ***product in-process*** and is available from the inventory database; receiving a custom online order from the online customer if the online customer selected product configuration does not at least partially match the ***product in-process*** or is not available from the inventory database.

(Emphasis added).

For at least the reasons set forth above with respect to claim 1, the combination of *Bezos* and *Johnson* does not teach the limitations of claim 14. For example, the proposed combination does not disclose "products in-process," as recited in claim 14. Further, neither *Bezos* nor *Johnson* disclose a determination of whether "one or more

products in-process match the user-selected manufactured product configuration," as recited in claim 14. Thus, claim 14 is patentable over the proposed combination.

Claims 15-18 and 20 each depend from independent claim 14. Accordingly, these claims are also allowable based at least on their dependency from claim 14. Applicant kindly requests the Examiner to reconsider claims 14-18 and 20.

Claim 29 recites, in relevant part:

capturing an online order containing at least one manufactured product identifier and specifying the manufactured product configuration, *the manufactured product being a reserved online order of a product in-process from an online customer* if the online customer selected manufactured product configuration ***at least partially matches the product in-process*** and is available from an inventory database or a custom online order from the online customer if the online customer selected manufactured product configuration ***does not at least partially match the product in-process*** or is not available from the inventory database.

(Emphasis added).

The combination of *Bezos* and *Johnson* does not teach the limitations of claim 29. For example, as discussed during the interview, the proposed combination does not disclose "products in-process," as recited in claim 29. Further, neither *Bezos* nor *Johnson* disclose a determination of whether the "online customer selected manufactured product configuration at least partially matches the product in-process," as recited in claim 29. Thus, claim 29 is patentable over the proposed combination.

Claims 30, 31, 33, and 34 each depend from independent claim 29. Accordingly, these claims are also allowable based at least on their dependency from claim 29. Applicant kindly requests the Examiner to reconsider claims 29-31, 33, and 34.

Claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41 have been rejected as being unpatentable under 35 U.S.C. §103(a) over the combination of *Bezos*, *Johnson*, and at least one other reference. Applicant submits that each of these claims are allowable based on their direct or indirect dependency from one of claims 1, 14, or 29. As described above, claims 1, 14, and 29 are allowable because the proposed combination of *Bezos* and *Johnson*

fails to teach the limitations of claims 1, 14, and 29. None of these additional references make up for the deficient teachings of the proposed combination. Furthermore, these dependent claims are patentable for the further limitations that they add which make them separately allowable. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2, 3, 6, 7, 9, 10-13, 19, 21-28, 32, and 35-41.

Applicant does not acquiesce in the Examiner's characterizations of the art. For brevity and to advance prosecution, Applicant may not have addressed all characterizations of the art and reserve the right to do so in further prosecution of this or a subsequent application. The absence of an explicit response by Applicant to any of the Examiner's positions does not constitute a concession to the Examiner's positions. The fact that Applicant's comments have focused on particular arguments does not constitute a concession that there are not other arguments for patentability of the claims. Applicant submit that all of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

Respectfully submitted,

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